

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

July 26, 2000

DIVISION ONE

Court convened at 9:00 A.M.

Present: Spencer, P.J., Ortega, J., Vogel (Miriam A.), J., Aragon, J. (Assigned) and S. Beaux, Deputy Clerk.

Each of the following:

B123138 Bashkin v. Hong
B136812 D.C.F.S. v. Danielle B.
B137674 D.C.F.S. v. Roberta S.
B137422 Nesen et al. v. Lewitt et al.
B135794 County of Los Angeles v. Frontier Pacific Insurance

Argument waived, cause submitted.

B132367 Dunbar
v.
Munoz

Merits:
Argued by Jared Laskin for respondent and no appearance for appellant.
Cause submitted.

B141384 Ronnie M.
v.
Superior Court, Los Angeles County
(Department of Children & Family Services, r.p.i.)

Merits:
Argued by Ronald Koncan for petitioner, by Angela Williams, deputy county counsel for real party in interest and by Anne Fragasso for real party in interest minor. Cause submitted.

DIVISION ONE (Continued)

B141307 Jennifer G.

v.

Superior Court, Los Angeles County
(Department of Children & Family Services, r.p.i.)

Merits:

Argued by Gary Gross, deputy county counsel, for real party in interest and no appearance for petitioner. Cause submitted.

B132196 Daeda

v.

Schapira et al.

Merits:

Argued by Barry Fisher for appellant, by Kevin S. Tanaka for respondent Schapira and by Carolyn Oill for respondent Jacobson. Cause submitted.

B133984 Bi-Rite Meat and Provisions Co., Inc.

v.

Hawaiian Gardens Redevelopment Agency

Merits:

Argued by John Clark Brown, Jr. for appellant and by M. Lois Bobak for respondent. Cause submitted.

B132741 Reynolds

v.

Isley Brothers Music Corp.

Merits:

Argued by William McKinnon for appellant and by Hillary Arrow Booth for respondent. Cause submitted.

DIVISION ONE (Continued)

B135897 Los Angeles County, D.C.F.S.
 v.
 Jennifer C.

Merits:

Argued by William A. Francis for appellant and by Joanne N. Romero, deputy county counsel, for respondent. Cause submitted.

Ortega, J. leaves the bench.

B133106 Association for Los Angeles Deputy Sheriffs
 v.
 County of Los Angeles

Merits:

Argued by Helen L. Schwab for appellant and by Lester J. Tolnai, deputy county counsel, for respondents. Cause submitted.

B133062 United Services Automobile Association
 v.
 Mirzaoff

Merits:

Argued by Richard M. Hawkins for appellant and by Daniel J. Koes for respondent. Cause submitted.

Ortega, J. returns to the bench.

B133239 Steinhardt Baer Picture Company
 v.
 Orien Pictures Corporation et al.

Merits:

Argued by John D. Hanover for appellant and by David R. Garcia for respondents. Cause submitted.

Aragon, J. (Assigned) leaves the bench.

DIVISION ONE (Continued)

B128296 Wallo
v.
Shin et al.

Merits:
Argued by Herbert L. Michel, Jr. for respondent and by Steven J. Renick
for appellants. Cause submitted.

B139451 Shaffery
v.
Wilson Elser Moskowitz Edelman & Dicker

Merits:
Argued by Howard M. Fields for appellant and by no appearance for
respondent. Cause submitted.

B125481 Top Cat Productions et al.
B128713 v.
Michael's Los Feliz

Merits:
Argued by Lesley Anne Hawes for appellant and by David F. Crochetiere
for respondents. Cause submitted.

Court adjourned.

B128958 People (Not for Publication)
v.
Escobedo

The judgment is affirmed.

Spencer, P.J.

We concur: Ortega, J.
Vogel (Miriam A.), J.

July 26, 2000-Continued

DIVISION ONE (Continued)

B130274 Shortz (Not for Publication)
v.
Rogers & Wells

The judgment is affirmed, and the cause is remanded to the trial court with directions to issue an abstract of judgment corrected to reflect the parole revocation fine pronounced at sentencing.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

B134119 People (Not for Publication)
v.
Alcantar

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Aragon, J. (Assigned)

B133210 People
v.
Lopez

(Not for Publication)

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

July 26, 2000-Continued

DIVISION ONE (Continued)

[illegible]

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.
Aragon, J. (Assigned)

B136939 People (Not for Publication)
v.
Ojeda

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

[illegible]

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Aragon, J. (Assigned)

DIVISION ONE (Continued)

B136812 Los Angeles County, D.C.F.S. (Not for Publication)

v.

Danielle B.

In re Simeon B., a minor

The orders are affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
 Ortega, J.

B129389 People (Not for Publication)

v.

Oberstein

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
 Aragon, J. (Assigned)

B132821 People (Not for Publication)

v.

Eley

The judgment is reversed and the cause is remanded to the trial court with directions to enter a judgment of acquittal for the crime charged (§ 289, subd. (d)).

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.
 Aragon, J. (Assigned)

July 26, 2000-Continued

DIVISION ONE (Continued)

B123138 Bashkin (Not for Publication)
v.
Hong et al.

The judgment is reversed and the cause is remanded to the trial court with directions to enter a judgment of acquittal for the crime charged (§ 289, subd. (d)).

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

B129307 Ringgold
v.
Baker

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION TWO

B133653 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Barbara B.

The order terminating Mother's parental rights is reversed and the matter is remanded for proceedings consistent with this opinion.

Cooper, J.

We concur: Nott, Acting P.J.
Mallano, J. (Assigned)

DIVISION TWO (Continued)

B139957 International Interest Group (Not for Publication)
v.
Superior Court, Los Angeles County
(The National Registry, Inc., r.p.i.)

Let a writ of mandate issue directing respondent to set aside its order sustaining without leave to amend real parties' demurrer to the second amended complaint. The court is also directed to either place this matter on calendar to determine the remaining issues raised by real parties' demurrer, or to allow petitioner an opportunity to amend its complaint. The stay is vacated. Petitioner to recover its costs of this petition.

Nott, J.

We concur: Boren, P.J.
Cooper, J.

DIVISION FOUR

B126290 Herbert Hauschild (Not for Publication)
v.
Jules B. Fleder

The judgment is affirmed. Respondent shall recover his costs on appeal.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

B126684 People (Not for Publication)
v.
Edward Guadalupe Padilla

The judgment is affirmed.

Curry, J.

We concur: Hastings, Acting P.J.
Rubin, J. (Assigned)

DIVISION TWO (Continued)

B135456 People
v.
Landaverde

Filed order denying petition for rehearing.

DIVISION FIVE

B131007 People (Certified for Partial Publication)
v.
Liderato Beltran

The judgment is reversed only to the extent it imposed enhancements under section 12022.7 and limited Beltran's presentence custody credits under section 2933.1. In all other respects, the judgment is affirmed. The matter is remanded for resentencing in accordance with this decision.

Godoy Perez, J.

I concur: Armstrong, J.
I concur and dissent: Turner, P.J. (Opinion)

B139488 People (Not for Publication)
v.
Daniel R.

The judgment is affirmed.

Godoy Perez, J.

We concur: Turner, P.J.
 Grignon, J.

DIVISION FIVE (Continued)

B129676 Alphanso Gray, Jr., a Minor, etc. (Not for Publication)
v.
City of Los Angeles et al.

The December 17, 1998, order is affirmed. Each side is to bear its own costs on appeal.

Turner, P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

B139524 John Axen (Not for Publication)
v.
Jeffrey Schlosser

The judgment is reversed. Upon remand, the trial court shall enter a judgment on the verdict. Following entry of judgment, the parties may, by proper motion, and consistent with Labor Code section 3856, subdivision (b), litigate their apportionment and lien claims. Plaintiff, John Axen, is to recover his costs on appeal from defendant, Jeffrey Schlosser.

Turner, P.J.

We concur: Grignon, J.
Armstrong, J.

B134519 People (Not for Publication)
v.
Shannon LeBlue

Any reference to a parole revocation fine in the trial court's June 23, 1999 minute order is ordered stricken. The judgment is affirmed in all other respects.

Armstrong, J.

We concur: Turner, P.J.
Godoy Perez, J.

July 26, 2000-Continued

DIVISION FIVE (Continued)

B126205 Gerald Verdine (Not for Publication)
v.
McDonnell Douglas Corporation

The judgment is affirmed. Respondent(s) to recover costs.

Armstrong, J.

We concur: Turner, P.J.
 Grignon, J.

DIVISION SIX

B132771 People (Not for Publication)
v.
Barnes

The judgment is affirmed.

Coffee, J.

I concur: Gilbert, P.J.
I concur: Perren, J. (Opinion)

B127779 People (Not for Publication)
v.
Valle

We remand for resentencing and affirm the judgment in all other respects. On remand, the court is to either impose the great bodily injury enhancement or strike it pursuant to section 1385, subdivision (a).

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

DIVISION SIX (Continued)

B139469 Human Services Agency

v.

Anthony G.

In re Nicholas G., a Person Coming Under the Juvenile Court Law.

Filed order dismissing the appeal as abandoned.